

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.810 OF 2022

Munna S/o Natthuji Bhandarkar

Versus

State of Maharashtra, through P.S.O., P.S. Kalmama, Tah. Nagpur, Dist. Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.N. Nandeshwar, Advocate for the applicant.

Ms Shamsi Haider, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 21/07/2022

1. The applicant is seeking bail in Crime No.339 of 2021, dated 13.05.2021, registered with Police Station Kalamana, District: Nagpur, for the offences punishable under Sections 420 and 188 of the Indian Penal Code and Sections 3(c) and 7 of the Essential Commodity Act, and Sections 16(c), 27(B)(ii) of the Drugs and Cosmetics Act and Rule.

2. Shri Nandeshwar, learned counsel for the applicant submits that in this case, on completion of investigation, charge-sheet has been filed, as such, further custody of the applicant is not necessary.

3. He further submits that considering the allegations made in the FIR, even otherwise, no purpose

will be served, keeping the applicant in jail for uncertain period particularly when there is uncertainty about the possibility that the trial will commence in near future. Accordingly, he prays for grant of bail.

4. On the other hand, Ms Shamsi Haider, learned APP strongly opposes the present application.

5. I have perused the Charge-sheet and reply of the State.

6. In this case, the allegations against the applicant are that the applicant was found in possession of three Remdisivir vials and accordingly, offence was registered.

7. Thus, considering the allegations made in the FIR and the fact that the applicant is in jail since more than one year, coupled with the fact that the investigation is over, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that the applicant shall be released on bail in Crime No. 339 of 2021, registered with Police Station Kalamana, District: Nagpur,

for the offences punishable under Sections 420 and 188 of the Indian Penal Code and Sections 3(c) and 7 of the Essential Commodity Act, 1955 and Sections 16(c), 27(B)(ii) of the Drugs and Cosmetics Act and Rule, on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.

- c) The applicant shall attend the concerned Police Station as and when his presence is required.
- d) The applicant shall not tamper with the prosecution witnesses.
- e) The applicant shall not leave the jurisdiction of the concerned Police station without permission of the Court.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]